

ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

Federal Agency Name(s): National Marine Fisheries Service (NMFS), National Oceanic And Atmospheric Administration, Department of Commerce

Funding Opportunity Title: FY 2009 Open Rivers Initiative

Announcement Type: Initial

Funding Opportunity Number: NMFS-HCPO-2009-2001496

Catalog of Federal Domestic Assistance (CFDA) Number: 11.463, Habitat Conservation.

Dates: Applications must be received, postmarked, or provided to a delivery service by 11:59 p.m. EDT, October 31, 2008. Use of U.S. mail or another delivery service must be documented with a receipt. No facsimile or electronic mail applications will be accepted.

Funding Opportunity Description: The NOAA Open Rivers Initiative (ORI) provides funding to catalyze the implementation of locally-driven projects to remove dams and other river barriers, in order to benefit living marine and coastal resources, particularly diadromous fish. Projects funded through the Open Rivers Initiative have strong on-the-ground habitat restoration components that foster economic, educational, and social benefits for citizens and their communities in addition to long-term ecological habitat improvements for NOAA trust resources. Through the ORI, NOAA provides funding and technical assistance for barrier removal projects. Proposals selected for funding through this solicitation will be implemented through a cooperative agreement. Funding of up to \$7,000,000 is expected to be available for ORI Project Grants in FY 2009. The NOAA Restoration Center (RC) within the Office of Habitat Conservation will administer this grant initiative, and anticipates that typical awards will range from \$50,000 to \$250,000. Although a select few may fall outside of this range, project proposals requesting less than \$30,000 or greater than \$1,000,000 will not be accepted or reviewed.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The principal objective of the NOAA Open Rivers Initiative is to provide federal financial and technical assistance to locally driven removals of dams and other river barriers to enhance watershed health, foster sustainable fish populations, and improve community vitality and economic growth. This will help to restore living marine and coastal resources and their habitats and promote stewardship and a conservation ethic for NOAA trust resources, particularly diadromous fish. While the focus of ORI is on implementing projects that will directly benefit diadromous species (e.g. salmon, sturgeon, shad, river herring, striped bass, and American eel), NOAA also recognizes the importance of dam and river barrier removal for the benefit of all life stages of aquatic organisms and riverine ecosystems.

Successful applications will be those that (1) demonstrate collaboration among entities such as public and nonprofit organizations, citizen and watershed groups, industry, corporations and businesses, youth conservation corps, students, landowners, academia, and local government, state, and federal agencies to cooperatively implement barrier removal projects, (2) document community benefits related to increased business opportunities, removal of potential liability, reduced flood impacts, and/or improved opportunities for recreation, park use, or other tangible community benefits, and (3) are able to achieve a net gain in diadromous fish-accessible stream miles, increase the number of barrier removals in a particular watershed, anticipate measurable long-term ecological and economic outcomes, document education and outreach or volunteer hours involved, and maximize project partnerships.

Project partners may contribute funding, land, technical assistance, workforce support or other in-kind services; promote grass-roots participation in the improvement of locally important living marine and coastal resources; and engender local stewardship and monitoring activities to sustain and evaluate the performance of the barrier removal. Past locally driven barrier removal projects supported by NOAA have been successful because they had significant local backing, depended upon citizens' hands-on involvement, and drew community support through strategic outreach and education.

B. Program Priorities

Open Rivers Initiative priorities are focused on removal of fish passage barriers within historic or present diadromous fish habitat to achieve a net gain in

diadromous fish-accessible stream miles. Restoration of diadromous fish passage access may include, but is not limited to: complete dam removal; notching or breaching of dams; removal of temporary or seasonal dams; removal of culverts that completely or partially block fish passage and replacement with bridges or fish passable culverts with naturally functioning streambeds; or removal of other barriers to diadromous fish passage. Activities may include the restoration of upstream and/or downstream passage of diadromous fish. The program priorities for this opportunity support NOAA's "Ecosystems" mission support goal of "Protect, Restore, and Manage Use of Coastal and Ocean Resources through Ecosystem-Based Management."

Priority consideration will be given to those project proposals that expect measurable fish population benefits, watershed health improvements, environmentally compatible economic benefits, and community revitalization and stewardship resulting from the barrier removal. Priority will also be given to those proposals that maximize the number of stream miles for which access is restored. Removal of dams and complete barriers to fish passage and proposals that incorporate proven removal techniques will be given priority consideration. Proposals that address partial barriers will also be considered for funding, but may receive lower priority. Priority consideration will be provided to proposals that maximize the cost-to-benefit ratio and direct a bulk of the requested funding towards on-the-ground activities.

The ORI will emphasize the selection of barrier removal projects that demonstrate a coordinated effort to maximize quality diadromous fish habitat within a watershed. Proposals that present the state of fish barriers/fish access in the watershed may receive greater consideration than those that limit discussion of the watershed condition. Additionally, proposed projects that demonstrate the potential to achieve synergistic results with other barrier removal projects in the watershed system will receive priority. Projects taking place in special management areas such as those under state coastal management, in areas designated as Essential Fish Habitat (EFH) or areas within EFH identified as Habitat Areas of Particular Concern may receive greater funding consideration.

Projects that restore habitats found to be socio-economically important within their region with regard to such issues as commercial (e.g., fisheries) and recreational use, aesthetic and stewardship values will be favored. Projects that document community benefits related to increased business opportunities, removal of potential liability, elimination of a safety hazard or attractive nuisance, and/or improved opportunities for recreation, park use, or other tangible community benefits will be given priority. However, this initiative does not fund urban redevelopment components.

Additionally, projects should feature pre- and post- project monitoring components to receive priority consideration. To ensure a basic level of assessment of project success, on-the-ground barrier removal projects should have clearly identified goals (broad in scope) and specific, measurable objectives. Proposals should describe evaluation of these objectives by indicating the structural and functional parameters that will be monitored during the award period, and for an appropriate duration after

project completion. Proposals should describe how monitoring will be conducted in a timely fashion by describing the frequency and length of time appropriate to each parameter in the context of the project objectives and status. See Section IV.B.2 "Project Narrative" for additional detail on project monitoring, including suggested parameters.

While the focus of this initiative is to provide funding and technical expertise to support on-the-ground implementation of barrier removal projects that involve significant community support, NOAA recognizes that accomplishing barrier removal is a multi-faceted effort involving feasibility studies, project design, engineering services, permitting, construction, legal considerations, oversight, pre- and post-removal monitoring, and education and outreach. Applicants may therefore apply for funding to support a combination of these activities; however, priority will be given to proposals that support on-the-ground implementation activities. If the proposed activities include feasibility and design, applications should provide enough information about the project so reviewers can gauge the project's likelihood of success. Priority consideration will be provided to proposals that can demonstrate project readiness, including the likelihood of the project to secure landowner/community support and sufficient funding to enable project implementation within 24 months of the proposed award start date. Although barrier removal projects are often not suitable for volunteer involvement, projects that involve an outreach and/or volunteer component tied to the barrier removal activities will receive greater consideration.

NOAA will consider funding more than one project under a single award, however all projects should be sufficiently developed as per the guidelines and information requirements listed in this document for an application to be competitive, and all projects should be able to be completed within the award period recommended below.

C. Program Authority

The Secretary of Commerce is authorized under the Fish and Wildlife Coordination Act, 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970, to provide grants or cooperative agreements for fisheries habitat restoration. The Secretary of Commerce is also authorized under the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (H.R. 5946) to provide funding and technical expertise for fisheries and coastal habitat restoration and to promote significant community support and volunteer participation in such activities.

II.

Award Information

A. Funding Availability

This solicitation announces that funding of up to \$7,000,000 is expected to be available for Open Rivers Initiative Project Grants in FY 2009. Actual funding availability for this program is contingent upon Fiscal Year 2009 Congressional appropriations. NOAA anticipates that typical project awards will range from \$50,000 to \$250,000; proposals requesting less than \$30,000 or more than \$1,000,000 will not be accepted under this solicitation. NOAA does not guarantee that sufficient funds will be available to make awards for all proposals. The number of awards to be made as a result of this solicitation will depend on the number of eligible applications received, the amount of funds requested by the applicants, the merit and ranking of the proposals, and the amount of funds made available to the ORI by Congress.

NOAA anticipates that between 10 and 20 awards will be made as a result of this solicitation. The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA representatives. Publication of this document does not obligate NOAA to award any specific project or obligate all or any parts of any available funds.

B. Project/Award Period

Applicants should plan their projects so that the restoration activities proposed for this funding will be initiated and/or completed within 24 months of the start date of the award. The earliest anticipated start date for project awards will be June 1, 2009; applicants should consider this date when developing plans for initiating proposed activities. If an application is selected for funding, NOAA has no obligation to provide any additional prospective funding in connection with that award in subsequent years. Any subsequent proposal to continue work on an existing project must be submitted to a competitive process for consideration and will not receive preferential treatment. Permission to extend the period of performance beyond the approved award period is at the discretion of NOAA and must be requested through NOAA's web-based grants system, Grants Online, at least 60 days in advance of an award's expiration date.

C. Type of Funding Instrument

Selected applications will be funded through a cooperative agreement since NOAA staff will be substantially involved in aspects of the project. Substantial involvement may include, but is not limited to: assistance in identifying priority

barriers for removal within watersheds; activities such as hands-on technical or permitting assistance; support in developing protocols to adequately monitor the barrier removal to evaluate success; tracking the progression of the barrier removal through site visits and progress report evaluation; and involvement in public meetings; and events to gain support for and highlight barrier removal activities.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants are institutions of higher education, non-profits, industry and commercial (for profit) organizations, organizations under the jurisdiction of foreign governments, international organizations, and state, local and Indian tribal governments whose projects have the potential to benefit NOAA trust resources. Applications from federal agencies or employees of federal agencies will not be considered. Federal agencies are strongly encouraged to work with states, non-governmental organizations, national service clubs or youth corps organizations and others that are eligible to apply.

The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to broadening the participation of historically black colleges and universities, Hispanic-serving institutions, tribal colleges and universities, and institutions that work in under-served areas. The ORI encourages proposals from or involving any of the above institutions.

B. Cost Sharing or Matching Requirement

A major goal of the ORI will be to provide seed money for projects that leverage funds and other contributions from a broad public and private sector to implement locally important barrier removals to benefit living marine and coastal resources. To this end, applicants are encouraged to demonstrate a 1:1 non-federal match for ORI funds requested to conduct the proposed project. NOAA strongly encourages applicants to leverage as much investment as possible. Applicants with less than 1:1 match will not be disqualified. However, applicants should note that cost sharing is an element considered in Evaluation Criterion #4 "Project Costs" (Section V.A.4.).

Match to NOAA funds can come from a variety of public and private sources and can include in-kind goods and services and volunteer labor. Applicants are permitted to combine contributions from non-federal partners, as long as such contributions are not being used to match any other funds and are available within the project period stated in the application. Federal sources cannot be considered for matching funds,

but can be described in the budget narrative to demonstrate additional leverage. Applicants are also permitted to apply federally negotiated indirect costs in excess of federal share limits as described in Section IV. E. 2. "Indirect Costs."

Applicants whose proposals are selected for funding will be bound by the percentage of cost sharing reflected in the award document signed by the NOAA Grants Officer. Successful applicants should be prepared to carefully document matching contributions, including the overall number of volunteers and in-kind participation hours devoted to individual barrier removal projects. Letters of commitment for any secured resources that will be used as match for an award under this solicitation should be submitted as an attachment to the application, see Section IV.B.

C. Other Criteria that Affect Eligibility

The following project proposals will not be considered eligible under this solicitation and will be disqualified:

- * Project proposals requesting less than \$30,000 or greater than \$1,000,000
- * Project proposals in which a structural fish ladder will be installed at a fish passage barrier
- * Project proposals to carry out feasibility studies, removal, or partial removal of dams licensed by the Federal Energy Regulatory Commission (FERC) at the time of proposal submission.
- * Project proposals that include the following activities: (1) activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state or federal law; (2) activities that constitute restoration for natural resource damages under federal, state or local law; and (3) activities that are required by a separate consent decree, court order, statute or regulation.

IV. Application and Submission Information

A. Address to Request Application Package

Complete application packages, including required federal forms, general instructions, and supplementary instructions can be found on www.grants.gov. If the application forms and instructions cannot be downloaded from www.grants.gov., please contact Tisa Shostik (Tisa.Shostik@noaa.gov) or Melanie Gange (Melanie.Gange@noaa.gov) at 301-713-0174.

B. Content and Form of Application

Applicants are encouraged to apply through the grants.gov website (www.grants.gov), the clearinghouse for federal financial assistance. A complete standard NOAA grant application package should be submitted in accordance with the guidelines in this document. Each application should include:

- o required federal application forms, including:
 - Application for Federal Assistance: SF-424 (7/03 version or newer)
 - Budget Information, Non-construction Programs: SF-424A
 - Assurances, Non-construction Programs: SF-424B
 - Certification Regarding Lobbying: CD-511
 - CD-512 (remains with applicant - do not submit as part of the application package)
- o depending on the applicant, the following forms may also be required:
 - Disclosure of Lobbying Activities: SF-LLL (if applicable)
 - Applicant for Federal Assistance: CD-346 (required for the following individuals: Non-profit Organizations, Sole Proprietorship, Partnerships, Corporations and Joint Venture)
- o a project summary (described below, limit 2 pages)
- o a project narrative (described below, limit 10 pages)
- o a detailed, narrative budget justification (described below, limit 4 pages)
- o the curriculum vitae or resume of primary project personnel
- o a site location map such as a USGS topographic quadrangle map with site location(s) highlighted
- o letters of commitment for any secured non-federal match resources, if applicable
- o a letter documenting private landowner or public land manager support
- o other relevant attachments the applicant deems important to the overall understanding and evaluation of the proposed project, such as summaries of regional restoration plans, project site photographs, or design plans (limit 20 pages)

Applications submitted through www.grants.gov should include only three files in addition to the federal application forms: 1) the project summary and narrative, 2) the budget justification, and 3) all other attachments combined into one file, including resumes, maps, and support letters. PDF files are the preferred format; information about converting documents to PDF files is available on www.grants.gov under Help and Download Software.

If grants.gov cannot reasonably be used, a hard copy application, with the SF424 Form bearing an original, ink signature (blue ink preferred) may be submitted to the NOAA Restoration Center (see section IV. C. Submission Dates and Times and Section IV. F. Other Submission Requirements for complete mailing instructions). No facsimile or electronic mail applications will be accepted. Paper applications should be printed on one side only, on 8.5" x 11" paper, and should not be bound in any manner. Applications submitted via hard copy should also include an electronic copy of the full application on a compact disc (CD).

1. Project Summary (2 pages):

- o Applicant Organization
- o Project Title
- o Site Location - nearest town or watershed, and geographic coordinates if known
- o Barrier and/or Adjacent Landowner - name and address if privately owned, resource agency contact if public land
- o On-the-Ground Implementation Start Date - if different than award start date
- o NOAA Trust Resources to benefit from the project - habitat(s), organism(s)(species) currently using the project area or expected to return, and any listed threatened or endangered species in the project area or in the vicinity
- o Project Scope - Briefly list specific tasks to be accomplished with requested funds, and proposed techniques that will be used to implement and monitor the barrier removal.
- o Project Outputs/Outcomes - Number of stream miles to be made accessible to diadromous fish, number of barriers removed, and anticipated ecological and socio-economic outcomes that may be confirmed by pre and post-implementation monitoring.
- o Project Time Line
- o Permits - identify permits expected to be necessary for this project and current status of applications or consultations
- o Federal Funds Requested & Non-Federal Match Anticipated
- o Overall Project Cost
- o Partner and Volunteer Support Anticipated - include hours/tasks
- o Letters of Support - list those included with the application, particularly those from private landowner/public lands agency resource personnel

2. Project Narrative (10 pages)

The project narrative should closely follow the organization of the evaluation criteria (see Section V.A. Evaluation Criteria) for the application to receive a consistent review against competing applications. The body of the narrative description should be no more than 10 pages long (in 12-point font with 1" margins) and should give a clear presentation of the proposed work. In general, proposals should clearly demonstrate anticipated benefits to specific streams and creeks used by diadromous fish. Describe how these benefits will be achieved through the proposed barrier removal activities, and identify the range of diadromous species expected to benefit.

The narrative should describe the historic condition of the barrier removal site and watershed. It should list the species currently found in the project site, identify the problems the project will address, describe short- and long-term objectives and anticipated outcomes, detail the methods for carrying out and monitoring the project, and clearly explain the project's relevance and significance to enhancing habitat to benefit living marine and coastal resources, particularly diadromous fish. The narrative should include an estimate of stream miles to be reopened for diadromous fish passage. It should also describe how the preferred alternative for barrier removal was determined by the stakeholders and explain the process used to achieve common agreement. The applicant should indicate whether the proposed project is part of a larger community or watershed plan, or otherwise prioritized in a publicly-vetted,

published restoration or planning document.

The narrative should include detailed information about the proposed project, including:

- o historic fish presence and potential for return of diadromous species in the river
- o the river length that will be restored, the distance to the next upstream blockage, any downstream blockages or seasonal impediments to fish passage
- o the history of dam and barrier construction and development in the watershed and any past or pending barrier removals
- o the quality of upstream diadromous fish habitat
- o existing restoration plans for fish passage in the watershed
- o barrier and impoundment dimensions (in acre feet)
- o potential changes to hydrology and flooding regimes
- o the original purpose and age of the barrier
- o the amount and characterization of sediments behind the barrier
- o potential sources of sediment contamination within the watershed
- o safety considerations, e.g., structural integrity of the barrier and likelihood of failure
- o the likelihood of historic and cultural resources in the area
- o who the barrier owner/landowner of the project site is, and identify properties that may be affected by project implementation
- o anticipated economic or community benefits associated with barrier removal
- o the process used to ensure that the project is being put forward by common agreement

The project narrative should also describe the extent of committed community involvement in the project, such as community participants (project partners), volunteer opportunities, education/outreach/stewardship plans, and efforts to disseminate information on project goals and results and/or the sources of project funding and support. If applicable, the narrative should explain how the proposed project will complement or encourage other local barrier removal, restoration or conservation activities, and the process used to obtain common agreement that barrier removal is the correct course of action. In addition, the project narrative should also describe the anticipated economic, community, or socio-economic benefits associated with the proposed barrier removal project.

The project narrative should describe the organizational structure of the applicant group, identify proposed project staff, and detail their experience and qualifications. If known, the applicant should state the level of NOAA involvement in, and/or support for the project and include contact information of relevant NOAA staff.

To demonstrate a project's potential to realize long-term benefits for NOAA trust resources, indicate project readiness, and to protect the federal investment, a letter of commitment should be included from the barrier owner/landowner for projects on private land or from relevant resource agency personnel for projects on public land that provides assurance that the project will be maintained for its intended purpose.

The project narrative should feature clearly identified goals (broad in scope) and

specific, measurable objectives associated with the barrier removal. Evaluating these objectives may involve monitoring during the award period to ensure a basic level of assessment of project success and determination of project outcomes. Parameters that should be assessed at minimum include:

- Number of stream miles made accessible
- Final project designs as compared to as-built conditions/designs; including whether or not the site as constructed meets standard fish passage criteria or published passage guidance
- Presence/absence of target diadromous fish upstream of project site before and after barrier removal
- Number of community participation hours associated with the project
- Community enhancement activities associated with barrier removal, if applicable
- Change in operations, maintenance, and/or liability costs as a result of the project, if applicable
- Change in public safety as result of the project, if applicable

In addition to the above, other parameters that may be measured include spatial extent of habitat use by diadromous species upstream of project site; changes in habitat quality and stream channel geometry, changes in diadromous fish abundance (e.g. trend in out-migrating juveniles); and changes in flood risk hazard designations. Monitoring must be conducted in a timely fashion with a frequency and length of time appropriate for each parameter. Assistance in refining the objectives and/or selecting appropriate parameters is available from NOAA Restoration Center staff working with the ORI.

To provide assurance that the project will expeditiously meet environmental compliance and permitting requirements, so that on-the-ground activities will begin within the first 12 months after the project's start date, projects that would require permits and consultations should list all necessary permits required to complete the project, the appropriate contact information for each permitting agency, and documentation of permit status, including those already secured for the project.

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicants that are seeking NOAA federal funding. Proposals should provide enough detail for NOAA to make a NEPA determination (see Section VI. B. Administrative and National Policy Requirements). Successful applications cannot be forwarded to the NOAA Grants Management Division with recommendations for funding until NOAA completes necessary NEPA documentation. Consequently, as part of an application package, and under the description of proposed activities, applicants are required to provide detailed information on the activities to be conducted, such as site locations, species and habitat(s) to be affected, possible construction activities, and any environmental concerns that may exist (e.g., disposal of hazardous or toxic substances such as those that might be contained in sediment behind impoundments, introduction of non-indigenous species that might also gain access to upper watershed habitats as a result of the project, impacts to endangered and threatened species, etc.).

In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting an environmental assessment if NOAA determines an assessment is required and one does not already exist for the activities proposed in the application. Applicants will also be required to cooperate with and assist NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for the denial of an application.

Applicants are encouraged to consult with NOAA as early as possible to obtain guidance with respect to the level and scope of information needed by NOAA to comply with NEPA. A phased approach to funding project activities may be recommended or special award conditions may be imposed limiting the use of funds for activities that have outstanding environmental compliance requirements to fulfill. The type of detailed information described above is critical to evaluating the significance of a project and its readiness to use available funding.

3. Budget Justification (4 pages)

The narrative budget justification must include a detailed breakdown by category of cost (object class) separated into federal and non-federal shares as they relate to specific aspects of the project, with appropriate narrative justification for both the federal and non-federal shares. The object classes should match those found on Form 424A. Applicants are encouraged to include a budget table to further clarify the cost breakdown. Applications will be evaluated for cost-effectiveness by examining the proportion of funds directed to on-the-ground implementation compared with that to be used for general program support.

If funding will be used to complete part of a larger project, a budget for the entire project should be provided to allow the selecting official to make an informed determination of a project's readiness and cost-benefit ratio. A narrative budget justification should indicate if the project has been submitted for funding consideration elsewhere, what amount has been requested or secured from other sources, and whether the funds requested/secured are federal or non-federal. The source of any non-federal matching funds or in-kind contributions should be detailed.

The NOAA Grants Management Division will review budget information for recommended applications to determine if costs are allowable, allocable, reasonable, and realistic. The NOAA Grants Management Division has a Budget Guidelines document available at: <http://www.ago.noaa.gov/grants/appkit.shtml>.

4. Other Application Submission Information

Applicants should not assume prior knowledge on the part of NOAA as to the relative merits of the project described in the application. Inclusion of supplementary

materials such as photographs, project designs, diagrams, copies of secured permits, letters of support, etc. are strongly encouraged. Letters from partners, local and state governments, and Congressional representatives are helpful in demonstrating support for the project. Such supplementary information should be combined and submitted as one single electronic file.

C. Submission Dates and Times

Applications must be submitted to www.grants.gov, or postmarked, or provided to a delivery service by 11.:59 p.m. EDT, October 31, 2008. Use of U.S. mail or another delivery service must be documented with a receipt. Applications postmarked or provided to a delivery service after that time will not be considered for funding. Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. In any event, applications received later than 15 business days following the postmark closing date will not be accepted. No facsimile or electronic mail applications will be accepted. See Section IV F of the Federal Funding Opportunity - Other Submission Requirements for complete mailing information.

D. Intergovernmental Review

Applications under this initiative are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 16 on SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out about and comply with a State's process under EO 12372, the names, addresses and phone numbers of participating SPOC's are listed in the Office of Management and Budget's home page at: <http://www.whitehouse.gov/omb/grants/spoc.html>.

E. Funding Restrictions

Pre-award costs are generally unallowable. A pre-award cost incurred before a notice of award document is provided by the NOAA Grants Office is at the applicant's own risk. The earliest date for receipt of awards will be June 1, 2009. Applicants should consider this selection and processing time in developing requested start dates for proposed barrier removal activities.

The budget may include an amount for indirect costs if the applicant has an established indirect cost rate with the federal government. Indirect costs are essentially overhead costs for basic operational functions (e.g., lights, rent, water, and insurance) that are incurred for common or joint objectives and therefore cannot be

identified specifically within a particular project. For this solicitation, the federal share of the indirect costs must not exceed the lesser of either the indirect costs the applicant would be entitled to if the negotiated federal indirect cost rate were used or 25 percent of the federal direct costs proposed. For those situations in which the use of the applicant's indirect cost rate would result in indirect costs greater than 25 percent of the federal direct costs, the difference may be counted as part of the non-federal share.

A copy of the current, approved negotiated indirect cost agreement with the federal government should be included with the application. If the applicant does not have a current negotiated rate and plans to seek reimbursement for indirect costs, documentation necessary to establish a rate must be submitted within 90 days of receiving an award.

F. Other Submission Requirements

Applications must be submitted through www.grants.gov. Applicants should note that it takes approximately 3 weeks to register with [grants.gov](http://www.grants.gov), and registration is required only once. Applicants should consider the time needed to register with [grants.gov](http://www.grants.gov), and should begin the registration process well in advance of the application due date if they have never registered with [grants.gov](http://www.grants.gov).

If the applicant does not have Internet access, a hard copy application with the SF424 bearing an original, ink signature (blue ink preferred) must be postmarked, or provided to a delivery service and documented with a receipt, by October 31, 2008, and sent to:

NOAA Restoration Center (F/HC3), Office of Habitat Conservation, NOAA Fisheries, 1315 East West Highway, Rm. 14718, Silver Spring, MD 20910. ATTN: Open Rivers Initiative Project Applications.

Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. In any event, applications received later than 15 business days following the postmark closing date will not be accepted. No facsimile or electronic mail applications will be accepted. Paper applications should be printed on one side only, on 8.5" x 11" paper, and should not be bound in any manner. Applicants submitting paper applications should also include a full copy of the application on a compact disc (CD).

Applications must be submitted through www.grants.gov, unless an applicant does not have internet access. In that case, hard copies with original signatures may be

sent to:

NOAA Restoration Center (F/HC3), Office of Habitat Conservation, NOAA Fisheries, 1315 East West Highway, Rm. 14718, Silver Spring, MD 20910. ATTN: Open Rivers Initiative Project Applications.

V. Application Review Information

A. Evaluation Criteria

Reviewers will assign scores to proposals ranging from 0 to 100 points based on the following five standard NOAA evaluation criteria and respective weights specified below. Applications that address the issues contained in these criteria are likely to be more competitive.

1. Importance and Applicability of Proposal (Total: 30 points)

This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, federal, regional, state or local activities. For the Open Rivers Initiative Project Grants competition, NOAA will evaluate applications based on the following:

- o The potential of the project to restore, protect, conserve or enhance habitats and ecosystems vital to self-sustaining populations of living marine and coastal resources under NOAA Fisheries stewardship (including commercial, recreational, threatened or endangered species) through barrier removal activities and the degree to which they are expected to result in direct ecological benefits or otherwise maximize benefits for living marine and coastal resources, particularly diadromous fish species. Maximum benefits achieved through physical removal of complete barriers (as compared to planning or design) to fish passage may receive greater consideration. (7 points)
- o The potential of the project to restore access to high quality upstream habitat or occurring in or near special management areas such as state or federal protected areas, areas identified by NOAA as essential fish habitat (EFH), or areas within EFH identified as Habitat Areas of Particular Concern. (4 points)
- o The project's significance in the amount of habitat to be made accessible to diadromous fish (e.g. number of stream miles opened) and the anticipated long-term project benefits to the target resources, when considered in context of the local environment. (6 points)
- o The extent to which the proposal effectively describes the state of diadromous fish access within the watershed, exhibits complementary fish passage activities within the watershed, and addresses a priority barrier as evidenced by reference to a

restoration plan, watershed assessment or stewardship plan or similar publicly vetted, published planning document and/or public planning process. (5 points)

- o The project's socio-economic benefits such as potential for community revitalization, enhanced recreational opportunities, elimination of safety hazards, and minimization of maintenance costs and liability associated with the barrier. (8 points)

2. Technical/Scientific Merit (Total: 30 points)

This criterion assesses whether the approach is technically sound, if the methods are appropriate, whether there are clear project goals and objectives, and whether progress towards those goals can be demonstrated. For the Open Rivers Initiative Project Grants competition, proposals will be evaluated based on the following:

- o The completeness and adequacy of detail in the project description, including clearly stated barrier removal objectives and goals, the extent to which the implementation plan is achievable within 24 months, and the ability to yield minimum monitoring data sufficient to assess project outcomes and success towards the stated objectives and goals. (6 points)

- o The overall technical feasibility of the project from both biological and engineering perspectives, including whether the proposed approach is technically sound and uses appropriate methods that are likely to achieve project goals and objectives. (6 points)

- o Whether there are plans for long-term management of the restored resource, including operations and maintenance plans for structures such as bridges, culverts, or tidegate devices, an effective mechanism to evaluate project success, including adequate and meaningful monitoring parameters in which results can be obtained within the award period. (6 points)

- o For assurance that implementation of the project will meet all federal, state and local environmental laws, and will expeditiously obtain applicable permits so that on-the-ground activities will begin within the first 12 months after a project's proposed start date. Projects should provide information needed to complete NEPA analysis and list all necessary permits and consultations required to implement the project, including the appropriate contact information for each permitting agency, and documentation of any permits already secured for the project. (6 points)

3. Overall Qualifications of Applicants (Total: 10 points)

This criterion ascertains whether the applicant possesses the necessary education, experience, demonstrated commitment, training, facilities, and administrative resources to accomplish the project. For the Open Rivers Initiative Project Grants competition, NOAA will evaluate applications based on the following:

- o The capacity of the applicant and associated project personnel to conduct the scope and scale of the proposed work or to access necessary technical expertise, as indicated by the qualifications and past experience of the project leaders and/or

partners in designing, implementing and effectively managing and overseeing projects that benefit living marine or coastal resources. Examples of projects similar in scope and nature that have been successfully completed by the implementation team are encouraged, as are resumes or other documentation of professional capacities. (5 points)

- o The facilities and/or administrative resources and capabilities available to the applicant to support and successfully manage the barrier removal work, guide the project to successful completion, and adequately report project results and outcomes. (5 points)

4. Project Costs (Total: 15 points)

This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time-frame. For the Open Rivers Initiative Grants competition, proposals will be evaluated on the following:

- o The extent to which funds will be dedicated to project implementation including physical, on-the-ground barrier removal and associated activities, compared to the percentage for general program support such as administration, salaries, overhead and travel. Proposals should contain a detailed breakdown of personnel hours and costs by task so the extent to which costs support staff directly involved in accomplishing the barrier removal work can be assessed. (4 points)

- o Whether the proposed budget is realistic, based on the applicant's stated objectives and time frame, and sufficiently detailed, with appropriate budget breakdown and justification of both federal and non-federal shares by object class as listed on form SF-424A. Requests for equipment (any single piece of equipment costing \$5,000 or more) should be strongly tied to achieving on-the-ground barrier removal and a comparison with rental costs should be used to justify the need to purchase. (4 points)

- o The ability of the applicant to demonstrate that a significant benefit will be generated for a reasonable cost. If funds are requested for partial support of a project, the budget will be examined with respect to the overall project budget to allow an informed determination of a project's readiness, need for funding, and cost-benefit ratio. (4 points)

- o The overall leverage of NOAA funds anticipated, including any other federal funding anticipated or awarded, and official non-federal match commitment to the requested NOAA funding. NOAA suggests non-federal cost-sharing at a 1:1 level to leverage funding or other resources, improve cost-effectiveness, and encourage partnerships. The extent to which applicants provide documentation that confirms acceptable secured non-federal match available within the proposed project period will also be considered. (3 points)

5. Outreach, Education and Community Involvement (Total: 15 points)

NOAA assesses whether the project provides a focused and effective education and outreach strategy regarding NOAA's mission. For the Open Rivers Initiative Grants

competition, proposals will be evaluated on the following:

- o Whether the activities proposed will involve citizens in a significant, strategic pre-removal education and outreach effort that demonstrates that the barrier removal project has been put forward by common agreement, and that the project will have significant community support, as reflected by the diversity and strength of project partners, sponsorship by local entities (either through in-kind goods and services such as earth-moving services, technical expertise, conservation easements, or cash contributions), and written support from state and local governments or members of Congress. (5 points)
- o General public outreach as it relates to the project implementation, including plans to disseminate information on project goals, results, project partners and their roles, sources of funding and other support provided; and the potential for the proposed project to encourage future barrier removal and protection of living marine and coastal resources or complement other local barrier removal or conservation activities. (5 points)
- o Letter of commitment from the affected barrier owner/landowner for a project on

B. Review and Selection Process

Applications will be screened by NOAA staff to determine if they are eligible and complete. Eligible proposals will undergo a technical review, ranking, and selection process. As appropriate during this process, the NOAA Restoration Center will solicit individual technical evaluations of each project proposed and may request evaluations from other NOAA offices, the Regional Fishery Management Councils, other federal and state agencies, such as state coastal management agencies and state fish and wildlife agencies, and private and public sector barrier removal experts who have knowledge of a specific applicant or project. Proposals will also be reviewed by NOAA regional and headquarters staff to determine how well they meet the stated aims of the ORI, and how well the proposal meets the goals of the NOAA Office of Habitat Conservation (OHC) and the NOAA Habitat Program.

Applications for barrier removal projects will be evaluated by at least three individual technical reviewers, including those mentioned in the above, according to the criteria and weights described in this solicitation (see Section V.A. Evaluation Criteria). Reviewer comments, average reviewer scores, and a rank order will be presented to the Director of the NOAA Restoration Center (Director). The Director, in consultation with OHC staff, will select the proposals to be recommended to the Grants Management Division (GMD) for funding and determine the amount of funds available for each approved proposal.

C. Selection Factors

The project proposals shall be recommended in rank order unless the proposal is justified to be selected out of rank order based upon one or more of the following factors:

- (1) the availability of funding
- (2) the balance/distribution of funds: a) geographically, b) by type of institutions, c) by type of partners, d) by research areas, e) by project types
- (3) duplication of other projects funded or considered for funding by NOAA and/or other federal agencies
- (4) initiative priorities and policy factors as set out in section I.A and B
- (5) the applicant's prior award performance
- (6) partnerships and/or participation of targeted groups
- (7) adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before funding recommendations are acted upon by GMD

Hence, awards may not necessarily be made to the highest scoring proposals. Unsuccessful applicants will be notified that their proposal was not among those recommended for funding. Unsuccessful applications submitted in hard copy will be kept on file until the close of the following fiscal year then destroyed.

D. Anticipated Announcement and Award Dates

Successful applicants generally will be identified approximately 90-120 days after the close of this solicitation. Typically, the earliest start date for projects will be June 1, 2009, dependant on the completion of all NOAA/applicant negotiations, NEPA analysis, and documentation supporting cooperative agreement activities. Applicants should consider this timeline in developing requested start dates for proposed projects.

VI. Award Administration Information

A. Award Notices

Successful applicants may be asked to modify objectives, work plans, or budgets prior to final approval of an award. The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific NOAA cooperative involvement with the activities of each project will be determined in pre-award negotiations among the applicant, the NOAA Grants Office, and the ORI staff. Projects should not be initiated in expectation of federal funding until a notice of award document is received electronically from the NOAA Grants Office in Grants Online, NOAA's online grants management system.

B. Administrative and National Policy Requirements

1. Administrative Requirements

Successful applicants that accept a NOAA award under this solicitation will be bound by Department of Commerce standard terms and conditions. This document will be provided in the award package in Grants Online, NOAA's online grants management system. It can also be found at: <http://www.ago.noaa.gov/grants/>

In addition, award documents provided by the NOAA Grants Office in the Grants Online award package may contain special award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements to fulfill, and/or stating other compliance requirements for the award as applicable.

2. National Environmental Policy Act (NEPA) Requirements

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals that are seeking NOAA funding. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6_TOC.pdf, and the Council on Environmental Quality implementation regulations, http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm. Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., disposal of hazardous or toxic substances such as those that might be contained in sediment behind impoundments, introduction of non-indigenous species that might also gain access to upper watershed habitats as a result of the project, impacts to endangered and threatened species, etc.). In order to obtain adequate information about the proposed project, NOAA may ask applicants to complete portions of the "Environmental Compliance Questionnaire for NOAA Federal Financial Assistance

Applicants" (OMB Approval no: 0648-0538, expires 6/30/09).

In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for the denial of an application.

Applicants proposing barrier removal activities that cannot be categorically excluded from further NEPA analysis or that are not covered by the NOAA Fisheries Community-based Restoration Program Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI) or Supplemental PEA and FONSI will be informed after the peer review stage and may be requested to assist in the preparation of an EA prior to an award being made, or provide for NOAA review a copy of an EA that covers proposed activities if one exists. The CRP PEA and FONSI can be found at:

http://www.nmfs.noaa.gov/habitat/restoration/projects_programs/crp/index.html

It is the applicant's responsibility to obtain all necessary federal, state and local government permits and approvals where necessary for the proposed work to be conducted. Applicants are expected to design their proposals so that they minimize the potential for adverse impacts to the environment. If applicable, documentation of requests or approvals of required environmental permits should be included in the application package. Applications will be reviewed to ensure that they contain sufficient information to allow NOAA staff to conduct a NEPA analysis so that appropriate NEPA documentation, required as part of the application package, can be submitted to the NOAA Grants Management Division (GMD) along with the recommendation for funding for selected applications.

C. Reporting

Progress reports are due semi-annually and cover 6-month periods that begin with the start date listed in award documentation. Progress reports are to be submitted to the Federal Program Officer via NOAA's Grants Online system and are due no later than 30 days after each 6-month project period. A final report is due no later than 90 days after the expiration date of an award.

Progress reports may be required to be submitted using a specific format for narrative information. Currently, a fill-form and format for project progress reports can be found on the NOAA Restoration Center website at:

<http://www.nmfs.noaa.gov/habitat/restoration>. Use of this progress report form and format involves collection-of-information requirements subject to the Paperwork

Reduction Act, and has been approved by OMB under control number 0648-0472.

Financial reports cover the periods from October 1 - March 31 (due by April 30) and April 1 - September 30 (due by October 30) throughout the award period and are submitted to the NOAA Grants Management Division via NOAA Grants Online System.

Complete details on reporting requirements will be provided to successful applicants in the award documentation provided by the NOAA Grants Management Division in the Grants Online award package.

VII. Agency Contacts

For further information contact Tisa Shostik (Tisa.Shostik@noaa.gov) or Melanie Gange (Melanie.Gange@noaa.gov) at (301) 713-0174. Potential applicants are invited to contact NOAA Restoration Center staff before submitting an application to discuss the applicability of project ideas to the goals and objectives of ORI. Additional information on the ORI can be found on the world wide web at <http://www.nmfs.noaa.gov/habitat/restoration>.

VIII. Other Information

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of February 11, 2008 (73 FR 7696) are applicable to this solicitation.

In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if initiatives fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act [5 U.S.C. 553 (a) (2)] or by any other law for this document concerning grants, benefits, and contracts. Accordingly, a regulatory flexibility analysis is not required by the Regulatory Flexibility Act (5 U.S. C. 601 et seq.).

This action has been determined to be not significant for purposes of Executive Order 12866.

The use of the standard NOAA grant application package referred to in this notice involves collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, SF-LLL, and CD-346 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044,

0348-0040, 0348-0046, and 0605-0001.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the Paperwork Reduction Act, unless that collection displays a currently valid OMB control number.